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**Introduced by Senator Cedillo**February 20, 2003

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An act to add Section 25365.8 to the Health and Safety Code, relating to hazardous substances.

## LEGISLATIVE COUNSEL'S DIGEST

SB 493, as introduced, Cedillo. Hazardous substances: liability.

Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act, imposes liability for hazardous substances removal or remedial actions. The act defines “responsible party” and “liable person” as those persons described in the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and provides that specified defenses identified in the federal act are available to a responsible party or liable person.

This bill would declare the Legislature’s intent to exempt a person who is not liable for response costs under the federal act because he or she is a bona fide prospective purchaser, a contiguous property owner, or an innocent purchaser, from the imposition of response costs by the state or any political subdivision thereof.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 25365.8 is added to the Health and
- 2 Safety Code, to read:
- 3 25365.8. The Legislature intends to exempt a person who is
- 4 not liable for response costs under the federal act because he or she
- 5 is a bona fide prospective purchaser, a contiguous property owner,



- 1 or an innocent purchaser, from the imposition of response costs by
- 2 the state or any political subdivision thereof.

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